

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:05CV40-2-MU
(APPEAL NO. 05-7710)

MARTIN A. CRAWFORD,
Petitioner,

v.

L. M. SOLOMAN, Supt.,
Respondent.

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O R D E R

THIS MATTER is before the Court on the petitioner's document captioned as "Petitioner's Request To Pay Appellate Filing Fee," filed December 7, 2005.

Pertinent to this document, the record reflects that on November 21, 2005, the petitioner submitted a "Motion and Affidavit for Permission to Appeal In Forma Pauperis." However, by the instant Request, the petitioner reports that he did not intend to seek pauper status for his appeal, but merely filed the subject Motion due to his mistaken belief that he had to do so in order to avoid having his appeal dismissed. In fact, further review of the record reflects that the petitioner actually paid the \$255.00 filing fee on December 19, 2005; and that his appeal is proceeding in the Fourth Circuit Court of Appeals.

Consequently, the petitioner's Request that he be allowed to pay his own filing fee shall be dismissed as moot.

SO ORDERED.

Signed: January 5, 2006

A handwritten signature in cursive script, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
Chief United States District Judge

